

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

ROBERT LEE DELOACH

PETITIONER

v.

Cause No. 1:05CV23

LAWRENCE KELLY, ET AL.

RESPONDENTS

FINAL JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated February 26, 2008, and Petitioner's failure to issue objections to that Report and Recommendation by the March 11, 2008 deadline, the court finds that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated February 26, 2008, is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That the instant petition for a writ of *habeas corpus* is hereby **DISMISSED** with prejudice and without evidentiary hearing as procedurally barred.
3. That this case is **CLOSED**.

THIS, the 21st day of March, 2008.

/s/ Sharion Aycock
U. S. DISTRICT JUDGE